

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

TELEDYNE TECHNOLOGIES INC., a ) Case No. CV 06-06803  
Delaware corporation, )

Plaintiff, )

vs. )

HONEYWELL INTERNATIONAL )  
INC., a Delaware corporation, )

Defendant. )

**DECLARATION OF  
ALVIN H. BURGEMEISTER**

HONEYWELL INTERNATIONAL )  
INC. and HONEYWELL )  
INTELLECTUAL PROPERTY INC., )  
a Delaware corporation, )

Counterclaimants. )

vs. )

TELEDYNE TECHNOLOGIES INC., a )  
Delaware corporation, )

Counterdefendant. )

**DECLARATION OF ALVIN H. BURGEMEISTER**

I, Alvin H. Burgemeister, declare as follows:

1. I have personal knowledge of the information contained herein and if called, could testify competently thereto.
2. I am an independent consultant in the field of aeronautical communication systems used in commercial and government applications. My address is 1097 Forseth Dr., Hartland, WI 53029-2278.
3. I have been retained by Honeywell International Inc. in this case at my normal hourly rate of \$125 per hour. My compensation is this matter is not related to the outcome of this case.

4. My forty year career in the field of aeronautics has included service with the U.S. Marine Corps (Active Duty 1967-1970, Reserves 1970-1990), the Naval Air Test Center (1972-1977), and the Boeing Commercial Airplane Group (1977-1999) before I retired and joined the consulting group B-twelve Associates, Inc. (formerly B-12 Consulting, Inc.), which was dissolved at the end of 2007. My experience in these positions has focused largely on aeronautical communications, including VHF, satellite, and data link communications. A true and correct copy of my resume is attached Exhibit 1.
5. I have read Honeywell's U.S. Patent No. 6,477,152, entitled "Apparatus And Method For Data Communications," filed on December 30, 1998 (the "'152 patent"). The descriptions in this patent regarding both aeronautical satellite and direct broadcast satellite systems are accurate. These descriptions include, for example, the statements that the data source may comprise "a digital satellite source ... such as a direct satellite. The satellite link 319 facilitates access to greater bandwidth than reliance solely on the telephone system 314 and affords relatively high data transfer rates." ('152 patent column 3, lines 4-13.) The '152 patent also states that the "first and second communication media 208, 210 may be the same or different media, or separate channels of the same medium." ('152 patent column 2, lines 45-47.) Further, the '152 patent describes the first communication medium as preferably including an aeronautical satellite system: "In accordance with a preferred embodiment, a suitable first communications medium 208 for use in conjunction with satellite data unit 602 comprises an aeronautical satellite system 310 ... Preferably, satellite system 310 comprises an array of satellites strategically orbiting the world, such as the Inmarsat Aeronautical Satellite Communications System or any other suitable satellite communication system, to facilitate the efficient communication of signals ..." ('152 patent column 8, lines 20-34.)
6. At the time the '152 patent was filed, direct broadcast satellites were being used by various commercial carriers and business aircraft for purposes of sending high speed data, such as television signals, to aircraft. Within this context, and consistent with the '152 patent's discussion of the first and second communication media, a direct broadcast satellite would have been considered a part of an aeronautical satellite system to a person of ordinary skill in the field of aeronautical communications in 1998.
7. I understand that Teledyne proposes that "direct broadcast satellite" as used in the '152 patent means, "A satellite that is not an aeronautical satellite, which broadcasts the same transmissions directly to all end-users and cannot receive transmissions from end-users." In my opinion, this definition is unduly restrictive. As noted above, in the context of the '152 patent, a person of ordinary skill in the field of aeronautical communications would understand that a "direct broadcast satellite" could be part of—and thus not mutually exclusive from—an aeronautical satellite system.

Dated:  
February 11, 2008  
Hartland, WI



Alvin H. Burgemeister

## **Alvin H. Burgemeister**

1097 Forseth Dr., Hartland, WI 53029-2278  
262-367-4146 (Home/fax), 262-623-0462 (Cell)

### **Education**

Graduate, U. S. Navy Test Pilot School, Helicopter Flight Test Engineering, 1976  
MS (Electrical Engineering), University of Idaho, 1972  
BS (Electrical Engineering), University of Idaho, 1967

### **Professional History**

Independent consultant, 2008-present

Consultant, B-twelve Associates, Inc. (formerly B-12 Consulting, Inc.), 1999-2007

Engineer, Boeing Commercial Airplane Group, 1977-1999, retired

- Data Link (ACARS and SATCOM) Avionics, 1998 -1999
- CNS/ATM Technology & ATC Research, 1994-1999
- Communications Research, 1992-1994
- 777 Communication Avionics Systems, 1989-1992
- 7J7 Flight Management Systems, 1986-1989
- Avionics Specification Process Improvement, 1985-1986
- 737 Flight Management Navigation Data Base, 1983-1985
- 707/727/737 Flight Management and Wind Shear Development, 1982-1983
- 737 Performance Navigation Computer Control & Display, Aircraft Performance, and Navigation Data Base, 1979-1982
- 707/727/737 Flight Crew Operations, 1977-1979

Naval Air Test Center, Patuxent River, MD, 1972-1977

- Project Engineer, AH-1J Cobra Helicopter Weapons Systems, 1974-1977
- Student, U.S. Navy Test Pilot School, 1973-1974
- Project Engineer, Helicopter Avionics Systems, 1972-1973

Officer, U.S. Marine Corps, Active Duty 1967-1970, Reserves 1970 - 1990

- Helicopter Pilot
- Avionics Officer

### **Industry Activities**

Member, RTCA SC-165, Satellite Communications, 1998-2001

Advisor to U. S. Member, ICAO Aeronautical Mobile Communications Panel, 1998-2005

Member, ICAO Aeronautical Telecommunication Network (ATN) Panel, 1995-1999, 2001-2005

Chairman, RTCA SC-162 "ATN Communications Standards", 1992-1998

Chairman, AEEC Communication Management Unit (CMU) Working Group, 1989-1995

Member, AEEC Data Link Subcommittee, 1988-1995

Member, AEEC Aviation VHF Packet Communications (AVPAC) Working Group, 1988-1990

Member, AEEC Satellite Communications Subcommittee, 1988-1989, 2000-2005

Member, RTCA SC-142, Mode S Data Link Processor, 1988-1989

Member, RTCA SC-157, Navigation Data Base Processing, 1988-1989

Member, AEEC Navigation Data Base Subcommittee, 1981-1985

### **Other Qualifications**

Commercial Pilot; Single Engine Land, Rotorcraft, Instrument Including Helicopters,  
Type Ratings for Boeing BV-107 and Sikorsky S-58. Approximately 2000 hours experience.

FCC General RadioTelephone License

### **Hobbies and Personal Data**

Member, Milwaukee Lutheran A Cappella Choir

Camping, computers, home projects, classical music